

Chadds Ford Township Board of Supervisors Meeting
February 5, 2003

MINUTES

OFFICIALS PRESENT: James E. Shipley, Chairman
Deborah Love D'Elia, Vice Chairman
George M. Thorpe, Member
Hugh A. Donaghue, Township Solicitor
James C. Kelly, Township Engineer
Richard J. Jensen, Building Inspector, CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER:

Mr. Shipley called the meeting to order at 7:30 PM. The Pledge of Allegiance was said and a moment of silence was observed for the seven astronauts who lost their lives in the Columbia space shuttle disaster.

STATE POLICE REPORT

Philip Wenrich, Township Emergency Management Coordinator, introduced Corporal Keating and Trooper Mills from the Media Barracks. Corporal Keating presented the monthly report, stating that there had been 143 total incidents, including 22 collisions; 10 thefts reported; 48 burglar alarms, 1 DUI. Mr. Shipley thanked the troopers for their attendance and stated that any information they might provide in the future concerning problems in residential areas would be appreciated.

PUBLIC COMMENT

Samantha Reiner presented laminated maps of the Township to be displayed for public use. Mr. Shipley thanked her on behalf of the Board not only for the work on the maps, but also for the initial draft of a letter that was sent to Delaware County asking for reimbursement of monies spent for same.

Donna O'Hara of 113 Ridge Road addressed the Board regarding the new renumbering system and a duplicate number. Mr. Thorpe had addressed the problem.

Martha Frost of 9 Ridings Way addressed the Board regarding the sale of property between Route 202 and Ridge Road. Mrs. Love D'Elia explained that there is a possibility of land development on that property in the future and suggested that homeowners remain aware for any new developments.

Dave Ripson of 41 Ridings Way also spoke to the development issue and a line of sight problem at the corner of Ridings Boulevard and Ridge Roads. Mr. Donahue stated that adjoining property owners would be notified by letter of any subdivision plans and further suggested that the Planning Commission be asked to address any line of sight issue if and when subdivision plans are submitted.

Linda Stewart of Summit Road reported an icing problem at intersection of Summit and Route 202. Bruce Prabel will look into the situation and hopefully have a supply of salt/antiskid placed near the intersection as soon as possible.

Ann Pounds of Longview Road addressed the Board on the status of the Camp Sunset Hill property and suggested that the Township consider appointing a Park and Recreation Board to monitor the open space issue. Mr. Shipley responded that the Township is willing to work with any applicant to the best advantage of the community.

Donna O'Hara thanked the Chadds Ford Township Sewer Authority for the politeness of construction workers on Ridge Road Extension project. Jim Murray will pass along those comments to the workers.

MOTION TO APPROVE MINUTES

Upon motion and second (Thorpe, D'Elia), the Board approved the minutes of the Board of Supervisors meeting of January 6, 2003, Revision of 2/4/03 – 8:06 PM, with the correction of Mr. Hong's name.

TREASURER'S REPORT

Mrs. Furlong reported the following balances as of January 31, 2003:

| | |
|--|---------------|
| Total all funds as of January 31, 2003: | \$ 785,933.38 |
| Total receipts for the month of January, 2002: | \$ 24,255.17 |
| Total disbursements for February 5, 2002: | \$ 77,268.38 |

EMERGENCY MANAGER

Mr. Wenrich reported that he had spoken to the lead investigator in the Warner case regarding the current status of the investigation. As to renumbering, Emergency Services are "triple" checking all new numbers for accuracy, but residents can help by being specific in details when calling 911. The Delaware County District Attorney's office had presented an Emergency Seminar at Neumann College recently and Mr. Wenrich had attended on behalf of the Township. Mr. Wenrich also reported that the Chadds Ford Civic Association is interested in instituting a Town Watch program.

ROADMASTER REPORT

Mr. Prabel presented the Roadmaster's report for the month of January, 2003, a copy of which is attached hereto. Mrs. Reiner asked if Mr. Prabel would look at a fallen tree on the shoulder of Oakland Road to see if the situation presented a danger to public safety. Mr. Shipley requested that Mr. Prabel follow up on the problem.

PLANNING COMMISSION

Mr. Taylor presented the Planning Commission Minutes for the meeting of Wednesday, January 29, 2003, a copy of which is attached hereto.

ZONING HEARING BOARD

Mr. Wandersee, Chairmen, reported that there were no applications scheduled for hearing during the month of January, however, a hearing on Volpe Tile is scheduled for February 19th. Mr. Lyons was present to speak to the Volpe application and stated that he was

attempting to reach a compromise with the Township by reducing the height and size of the sign. There was discussion as to whether or not to reconsider sending the Township Solicitor to oppose the application, but it was decided to allow the Board's prior decision to stand, thus Mr. Donahue will be attending the February 19th hearing on behalf of the Township to oppose the application.

HARB

There was no activity to report for the month.

SEWER AUTHORITY

Mr. Murray presented the Sewer Authority's report for the month of January, 2003.

Mrs. Love D'Elia introduced Vince DelRossi, a new member of the Sewer Authority.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported on the applications that had been made during the month of January, 2003. Mr. Jensen and Mr. Thorpe will meet on Thursday, February 7, 2003, to review the fee schedule for the Township and make suggestions for revisions.

TOWNSHIP ENGINEER

Mr. Kelly presented the Engineer's report for the month of January, 2003, a copy of which is attached hereto.

MOTION TO APPROVE O & M AGREEMENT/SAUNDERS ESTATE

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors voted to approve the Operation and Maintenance Agreement with Marginal Soils for the property owned by the Estate of Robert Saunders at 81 Bullock Road, pursuant to the recommendation of Township Engineer James Kelly and conditioned upon Mr. Donaghue's review and approval of the agreement.

MOTION TO APPROVE APPLICATION FOR COUNTY AID

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors approved the submission of the annual application for County Aide for the 2003 Road Program at the recommendation of Township Engineer James Kelly.

SOLICITOR'S REPORT

Mr. Donahue reported that he had begun a review of existing ordinances pursuant to instruction from Supervisors and was in the process of researching and preparing a draft of Taxpayer's Rights. As to the proposed Bed and Breakfast ordinance, it was Mr. Donaghue's opinion that Section 11, page 3, should be reworked. He had also reviewed the Stormwater Management letter of intent with Mr. Kelly and the Volpe sign issue with Mr. Jensen. As to outstanding issues regarding the Loop Road, Mr. Donahue and Mr. Lyons will specify a set date and time for all parties to sign any documents necessary to conclude matters.

OPEN SPACE COMMITTEE

Lois Saunders was present to report for the committee. There was not a quorum at the

January meeting, thus those present discussed pending and future matters in a workshop forum.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe stated that feasibility reports had been received on Turner's Mill and same had been reviewed by members of the Properties Committee at a meeting on February 3, 2003. Mr. Shipley summarized for those present that the Township is considering the conversion the Turner's Mill property into a new Township Hall. The Properties Committee is trying to define what such a building would look like, to get the issue in front of the public and to give residents a chance to vote. Fundraising and historic grants will be sought, but such a project would ultimately mean an increase in municipal taxes.

The recommendation of the committee was to have a model built of the proposed site. An Open House would then be scheduled to introduce the model, followed by a public meeting. Mrs. Pounds suggests adding a picnic area, playground and historic loop trail to include Turner's Mill, to open up grant money. Mr. Shipley stated that the Township would certainly support a cultural trail. It was suggested that since April 13th – 19th is local government week, that might be a good time for such a forum.

MOTION TO APPROVE EXPENDITURE-ARCHITECTURAL MODEL TURNER'S MILL

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors recommended a maximum expenditure of \$2500 for the building of a model for public display of the proposed Turner's Mill Town Hall.

In further business, Mrs. Love D'Elia reported that a \$5,000 grant had been approved for renovation of the Mother/Sister Archie's church through the PA Department of Community and Economic Development's Community Revitalization Assistance Program.

FIRE MARSHALL

Mr. Shipley reported that he had authored a first draft of a Burning Ordinance for review by Committee members and the Township Solicitor.

FINANCIAL ADVISORY BOARD

Mrs. Love D'Elia reported work was ongoing between Mrs. Furlong and Elko Associates with regards to further computerization of the Township's financial records. The transition to Commerce Bank of Township accounts is ongoing.

SUPERVISOR'S REPORTS

Mrs. Love D'Elia stated that members of the Intermunicipal Sewer Authority had met on February 3, 2003, with representatives of Chadds Ford Township, the Chadds Ford Township Sewer Authority and their counterparts from Concord Township in attendance.

NEW BUSINESS

MOTION TO APPROVE 2003 FIRE CONTRACT APPROVAL

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved

the 2003 contract with the Concordville Fire and Protective Association, setting forth the payment of \$32,000 to provide fire protection to residents and property within Chadds Ford Township.

MOTION TO APPROVE RESOLUTION 2003-1 RE THE APPOINT OF ELKO & ASSOCIATES AS TOWNSHIP AUDITOR FOR 2003

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors unanimously approved the appointment of Elko and Associates to replace the elected auditors and to perform an audit of the Township for 2002.

MOTION TO APPROVE RESOLUTION 2003-2 CORRECTING THE TAX LEVY FOR 2003

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved Resolution 2003-2, correcting a typographical error in Resolution 2002-14 regarding the split in millage between the Township and fire company. The correct split is .2 for the Township and .062 for the fire company.

PROPOSED BED and BREAKFAST ORDINANCE

Mr. Shipley stated that the primary objective of the proposed ordinance was to allow preservation of historic, large houses within the Township, so long the operation as a Bed and Breakfast was compatible to the residential district that the home is in. Mr. Donaghue is working on redrafting specific sections of the proposal. Further comments will be taken at next month's Board of Supervisor's meeting and the ordinance will be submitted to the Delaware County Planning Commission.

NEW BUSINESS

ESCROW TRANSFERS

Mr. Jensen presented the following list of escrow monies that should be taken by the Township for unpaid bills:

| | |
|-------------------------------------|--------------------|
| Ashbridge Construction, Inc. | \$ 750.00 |
| CF Automotive, ZHB | \$ 700.00 |
| CT Automotive, Conditional Use | \$ 700.00 |
| East Coast Sign, ZHB | \$ 700.00 |
| GD Developers | \$ 700.00 |
| Grace, Joseph (Harvey Road SD) | \$ 3,750.00 |
| Grace, Joseph (GP) | \$ 700.00 |
| Jaramillo Home Improvement | \$ 700.00 |
| Ryder Truck Rental, Conditional Use | \$ 700.00 |
| Shellridge | <u>\$ 1,400.00</u> |
| TOTAL | \$10,800.00 |

MOTION TO TRANSFER ESCROW FUNDS TO THE TOWNSHIP'S GENERAL FUND

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors approved the transfer of \$ 10,800.00 from the escrow account at First Union Bank to the general fund account at Commerce Bank, for failure to pay outstanding invoices.

FINAL APPROVAL-CORNERSTONE SUBDIVISION and PLANNING MODULE

Tim Smith of Chester County Innovations presented the Cornerstone Subdivision proposal to the Board. The applicant was proposing a four lot subdivision to the existing property located at 41 Webb Road. It was understood that the driveway will be private and will not be dedicated to the Township. The Planning Commission had recommended final approval and outstanding issues had been reviewed with Mr. Kelly. As to the issue of landscaping, it was determined that the property owner will agree to Mr. Jensen's recommendations as to tree replacement. Subdivision plans were approved contingent upon the Board's approval of tree replacement on each individual lot. Mr. Kelly added that if house sizes change, the developer must stay within limits of storm water management plans and the location of house must stay within the building envelope.

MOTION TO APPROVE RESOLUTION 2003-6 - CORNERSTONE SUBDIVISION

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors approved Resolution 2003-6 pertaining to final approval of the Cornerstone Subdivision, to include an additional \$1500 escrow for tree replacement.

MOTION TO APPROVE RESOLUTION 2003-5 – CORNERSTONE PLANNING MODULE

Upon motion and second (Thorpe, D'Elia) the Board of Supervisors approved Resolution 2003-5 regarding the Planning Module for the Cornerstone Subdivision.

WAWA, Inc. LIGHTING PROPOSAL

Chuck Olivo presented a lighting proposal for Wawa, Inc.'s store located in the Village of Chadds Ford. The company was seeking permission to put a two headed light on a fifteen (15) foot pole in the parking lot of the store and the Township's ordinance requires the Board's approval for such. Discussion ensued among the applicant and Township officials.

MOTION TO APPROVE LIGHTING REQUEST OF WAWA, Inc., VILLAGE STORE

Upon motion and second (Shipley, Thorpe) the Board of Supervisors voted to approve the installation and operation of a two headed light pole to be used at Wawa Food Market #175, located in the Village of Chadds Ford, provided that cumulative footcandle brightness from the addition of this light will not be increased so as to exceed that permitted by Township ordinance. Said approval is conditional upon the submission by Mr. Olivo of a revised plan to be dated 2/6/03.

MOTION TO APPROVE RESOLUTION 2003-3 - HENDERSON LOT 3 ENDO 2 PLANNING MODULE

Upon motion and second (D'Elia, Thorpe) and in accordance with the recommendation of the Township Engineer James Kelly, the Board of Supervisors approved Resolution 2003-3 pertaining to the Planning Module of Henderson Lot 3 Endo 2.

CODIFICATION PROPOSAL

Mr. Taylor reported that members of the Planning Commission were in the process of meeting with representatives of various companies to outline the Township's requirements and to obtain quotes regarding codification of Township ordinances. The Committee is also investigating alternate funding options to accomplish same.

Mr. Donaghue asked the Board to authorize the Township secretary to purchase an ordinance book. Mr. Shipley directed Mrs. Furlong to do so.

*MOTION TO ADOPT RESOLUTION 2003-4 – CHILD PASSENGER SAFETY
AWARENESS WEEK*

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors unanimously approved Resolution 2003-4, declaring February 9 – 15, 2003, to be Child Safety Awareness Week within the Township.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:40 PM.

Respectfully submitted,

MARYANN D. FURLONG
Township Secretary